

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 00-1290-A)

In re Application of:)
Paul Sammak et al.)
Serial No.: To be Assigned) Art Unit: To be assigned
Filed: Herewith) Examiner: To be assigned
For: Automated Assay for Identification of Individual)
Cells During Kinetic Assays)

Asst. Commissioner for Patents
BOX NEW APPLICATION
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached papers for the above-identified new patent application:

- Transmittal Letter
- Utility Patent Application Cover Sheet (2 sheets, in duplicate)
- Patent Specification (33 sheets, including claims and abstract)
- Drawings (1 sheet)
- Return Receipt Postcard

2. With respect to fees:

Please charge the total filing fee of \$379.00 to our Deposit Account No. 13-2490.

Please credit any overcharge or debit any underpayment to our Deposit Account No. 13-2490.

3. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231, Box New Application, on this 21st day of December, 2001. Express Mail No. **EL604656500US**.

By: David S. Harper
David S. Harper
Reg. No. 42,636

MBHB Case No. 00-1290-A

Title: Automated Assay for Identification of Individual Cells During Kinetic Assays

Inventors: **Paul Sammak**
551 Olive Street
Pittsburgh, PA 15237
Citizenship: USA

Gustavo Rosania
1805 Vinan Kay Circle
Ann Arbor, MI 48103
Citizen of Columbia

Richard Rubin
216 Gladstone Road
Pittsburgh, PA 15217
Citizenship USA

Michel Nederlof
1502 Fox Chapel Road
Pittsburgh, PA 15238
Citizen of Belgium

Oleg P. Lapets
Shady Oak Circle
Allison Park, PA 15101
Citizenship: Russian

Randall O. Shopoff
113 Country Club Drive
Pittsburgh, PA 15235
Citizenship: USA

Murugan Kannan
8988 Meadow Oaks Dr.
Allison Park, PA 15101
Citizen of India

Assignee: **Cellomics, Inc.**
635 William Pitt Way
Pittsburgh, Pennsylvania 15238

12/21/01
j1055 U.S. PTO

01-07-02

H

10/03/2001
j1011 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL <i>Submit an original and a duplicate for fee processing (Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	
ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231	Attorney Docket No. 00,1290-A First Named Inventor Paul Sammak et al. Express Mail No. EL604656500US
APPLICATION ELEMENTS	
<p>1. <input checked="" type="checkbox"/> Transmittal Form with Fee 2. <input checked="" type="checkbox"/> Specification (including claims and abstract) [Total Pages 33] 3. <input checked="" type="checkbox"/> Drawings [Total Sheets 1] 4. <input type="checkbox"/> Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed b. <input type="checkbox"/> Copy from prior application [Note Boxes 5 and 18 below] i. <input type="checkbox"/> <u>Deletion of Inventor(s)</u> Signed statement attached deleting inventor(s) named in the prior application 5. <input type="checkbox"/> Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. 6. <input type="checkbox"/> Computer Code Listing (See 1.96) a. <input type="checkbox"/> Microfiche Appendix b. <input type="checkbox"/> CD-Rom (in duplicate, with separate transmittal) 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy c. <input type="checkbox"/> Statement verifying above copies 8. <input checked="" type="checkbox"/> Small Entity Status <input checked="" type="checkbox"/> is claimed <input type="checkbox"/> Statement filed in prior application; status still proper and desired <input type="checkbox"/> is no longer claimed.</p>	
<p>18. <input type="checkbox"/> This is a CONTINUING APPLICATION. Please note the following:</p> <ol style="list-style-type: none"><input type="checkbox"/> This is a <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part of prior application<input type="checkbox"/> Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)<input type="checkbox"/> Amend the specification by inserting before the first line the sentence: This is a <input type="checkbox"/> continuation <input type="checkbox"/> divisional <input type="checkbox"/> continuation-in-part of application Serial No.<input type="checkbox"/> The prior application is assigned of record to	
ACCOMPANYING APPLICATION PARTS	
<p>9. <input type="checkbox"/> Assignment Papers 10. <input type="checkbox"/> Power of Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS) <input type="checkbox"/> PTO-1449 Form <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) 16. <input type="checkbox"/> A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i) 17. <input type="checkbox"/> Other:</p>	

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 00,1290-A

APPLICATION FEES

BASIC FEE				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	21	-20=	1	x \$18.00 \$ 18.00
Independent Claims	2	- 3=	0	x \$84.00 \$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable				+\$280.00 \$
				Total of above calculations = \$ 758.00
				Reduction by 50% for filing by small entity = \$(379.00)
<input type="checkbox"/> Assignment fee if applicable				+\$40.00 \$
				TOTAL = \$ 379.00

19. Please charge my Deposit Account No. 13-2490 in the amount of \$379.0020. A check in the amount of \$ is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

24. USPTO CUSTOMER NUMBER



20306

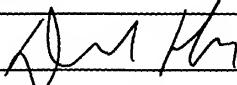
PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert & Berghoff

25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name David S. Harper

Reg. No. 42,636

Signature 

Date December 21, 2001

UTIL (Rev. 11/21/00)